

## **R430-100-12: INJURY PREVENTION.**

- (1) The provider shall ensure that the building, grounds, toys, and equipment are maintained and used in a safe manner to prevent injury to children.**

### **Rationale / Explanation**

*Proper maintenance is a key factor in trying to ensure a safe environment for children. Regular inspections are critical to prevent breakdown of equipment and the accumulation of hazards in the environment, and to ensure that needed repairs are made quickly. Regular maintenance checks and appropriate corrective actions documented in writing can reduce the risk of potential injury and provide a mechanism for periodic monitoring and improvements. CFOC, 3<sup>rd</sup> Ed. pgs. 237-238 Standard 5.3.1.1, pgs. 259-260 Standard 5.7.0.2, pg. 260 Standard 5.7.0.4, pg. 277 Standard 6.2.5.1, pg. 375 Standard 9.2.6.3*

*The physical structure where children spend each day can present safety concerns if it is not kept in good repair and maintained in a safe condition. For example, peeling paint in older buildings may be ingested, floor surfaces in disrepair could cause falls and other injuries, broken windows could cause severe cuts. Children's environments must also be protected from exposure to moisture, dust, and excessive temperatures. CFOC, 3<sup>rd</sup> Ed. pg. 261 Standard 5.7.0.7*

*The American Academy of Pediatrics and the American Public Health Association recommend that windows in areas used by children under age 5 not open more than 3.5 inches, or else be protected with guards that prevent children from falling out of the window. CFOC, 3<sup>rd</sup> Ed. pgs. 204-205 Standard 5.1.3.2.*

*Constant direct supervision is also needed in order to ensure that even well-maintained equipment is not used in unsafe ways. CFOC, 3<sup>rd</sup> Ed. pgs. 64-66 Standard 2.2.0.1*

### **Enforcement**

*This rule applies to both indoor and outdoor areas.*

*Level 2 Noncompliance if melting wax, such as in a candle warmer, is accessible to children.*

*Other than above, a finding to this rule is issued only when there is not another rule that specifically addresses an observed lack of safe maintenance or use of the building, grounds, toys, and equipment. The noncompliance level depends on what was observed.*

- (2) The provider shall ensure that walkways are free of tripping hazards such as unsecured flooring or cords.**

### **Rationale / Explanation**

*The purpose of this rule is to prevent injuries to children from tripping and falling. CFOC, 3<sup>rd</sup> Ed. pgs. 237-238 Standard 5.3.1.1*

### **Enforcement**

*This rule does not prevent the use of throw rugs.*

*Always Level 2 Noncompliance.*

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- (3) Areas accessible to children shall be free of unstable heavy equipment, furniture, or other items that children could pull down on themselves.

### Rationale / Explanation

*Children have suffered serious injuries and death due to unstable heavy equipment falling on them. The Consumer Product Safety Commission (CPSC) estimates that at least 3000 children under age 5 were treated in U.S. hospital emergency rooms during 2005 for injuries associated with television tip-overs. In addition, between 2000 and 2005, CPSC received reports of 65 furniture tip-over deaths and 36 television tip-over deaths. Over 80% of these deaths involved young children. Secure anchoring of heavy equipment is essential for safe, stable installation. CFOC, 3<sup>rd</sup> Ed. pgs. 237-238 Standard 5.3.1.1, pg. 270 Standard 6.2.1.4*

### Enforcement

*This rule applies to both indoor and outdoor areas that are accessible to children.*

*Always Level 2 Noncompliance.*

- (4) The following items shall be inaccessible to children:
- (a) firearms, ammunition, and other weapons on the premises. Firearms shall be stored separately from ammunition, in a cabinet or area that is locked with a key or combination lock, unless the use is in accordance with the Utah Concealed Weapons Act, or as otherwise allowed by law;

### Rationale / Explanation

*The purpose of this rule is to prevent child injuries or deaths from firearms. Children have a natural curiosity about firearms and have often seen their use glamorized on television. Firearms pose a great potential for tragic accidents with children. CFOC, 3<sup>rd</sup> Ed. pg. 257 Standard 5.5.0.8, pg. 363 Standard 9.2.3.16.*

### Enforcement

*This rule applies to both indoor and outdoor areas.*

*Firearms include guns, muzzle loaders, rifles, shotguns, hand guns, pistols, and automatic guns.*

*Firearms must be stored separately from ammunition, in a cabinet or area that is locked with a key or combination lock. Use of a trigger lock is not an acceptable alternative to storing firearms in a locked cabinet or area.*

*A weapon is defined as an item for which the intended use can cause harm or death to people or animals. Paintball guns, BB guns, and Airsoft guns are considered weapons, and must be inaccessible to children in care.*

*Level 2 Noncompliance if a firearm with a trigger lock is inaccessible.*

*Level 1 Noncompliance otherwise.*

- (4) The following items shall be inaccessible to children:
- (b) tobacco, alcohol, illegal substances, and sexually explicit material;

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### Rationale / Explanation

*The age, defenselessness, and lack of mature judgement of children in care make the prohibition of tobacco, alcohol, and illegal substances an absolute requirement in child care programs. CFOC, 3<sup>rd</sup> Ed. pg. 118-119 Standard 3.4.1.1, pg. 363 Standard 9.2.3.15*

*Scientific evidence has linked respiratory health risks to secondhand smoke. No children, especially those with respiratory problems, should be exposed to additional risk from the air they breathe. Infants and young children exposed to secondhand smoke are at risk of developing bronchitis, pneumonia, and middle ear infections when they experience common respiratory infections. CFOC, 3<sup>rd</sup> Ed. pg. 118-119 Standard 3.4.1.1, pg. 363 Standard 9.2.3.15*

### Enforcement

*This rule applies to both indoor and outdoor areas.*

*Unsmoked cigarettes, cigarette butts, electronic cigarettes and chewing tobacco must be inaccessible because they contain tobacco and harmful substances.*

*Level 1 Noncompliance if children have access to tobacco, alcohol, or illegal substances*

*Level 2 Noncompliance otherwise.*

- (4) The following items shall be inaccessible to children:**  
**(c) when in use, portable space heaters, fireplaces, and wood burning stoves;**

### Rationale / Explanation

*Portable space heaters, fireplaces, and wood burning stoves are all hot enough to burn children when in use. They can also start fires when heating elements, flames, or hot surfaces are too close to flammable materials, including children's clothing. In addition, fireplaces and wood burning stoves can be sources of toxic products of combustion. CFOC, 3<sup>rd</sup> Ed. pgs. 215-216 Standards 5.2.1.11, 5.2.1.12, 5.2.1.13*

### Enforcement

*This rule applies to both indoor and outdoor areas.*

*Level 1 Noncompliance for accessible wood burning stoves or fireplaces.*

*Level 2 Noncompliance for accessible portable space heaters.*

- (4) The following items shall be inaccessible to children:**  
**(d) toxic or hazardous chemicals such as cleaners, insecticides, lawn products, and flammable materials;**

### Rationale / Explanation

*All of these substances can cause illness or death through accidental ingestion. Flammable materials are also involved in many non-house fire flash burn admissions to burn units. CFOC, 3<sup>rd</sup> Ed. pgs. 226-229 Standards*

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5.2.8.1, 5.2.9.1, pgs. 234-235 Standard 5.2.9.11, pg. 256 Standard 5.5.0.5

### **Enforcement**

*This rule applies to both indoor and outdoor areas.*

*Sanitizers, including bleach water, are considered to be hazardous chemicals.*

*Level 2 Noncompliance if any of the following are accessible to children:*

- *insecticide*
- *insect repellent*
- *pesticide*
- *weed killer*
- *gasoline*
- *kerosene*
- *paint thinner*
- *turpentine*
- *linseed oil*
- *jewelry cleaner*
- *bleach*
- *nail polish remover*
- *rubbing alcohol*
- *anti-freeze*
- *windshield washer fluid*
- *gunpowder*
- *WD-40*
- *super glue*
- *liquid correction fluids, such as White Out*
- *Aqua MSDS (for fish tanks)*
- *rubber cement*
- *spray paint*
- *gun solvent*
- *water sealant*
- *fertilizer with weed killer (such as Weed and Feed)*
- *iodine*
- *model glue*
- *drain cleaners*
- *ammonia*

*Level 3 Noncompliance if household cleaners, sanitizers or motor oil are accessible to children.*

- (4) The following items shall be inaccessible to children:**  
**(e) poisonous plants;**

### **Rationale / Explanation**

*Plants are among the most common household substances that children ingest. Poisonous plants can also cause skin rashes. CFOF, 3<sup>rd</sup> Ed. pg. 234 Standard 5.2.9.10*

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See CFOC, 3<sup>rd</sup> Ed. pgs. 470-471, Appendix Y for a list of safe and poisonous plants.

### **Enforcement**

*This rule applies to both indoor and outdoor areas.*

*Poisonous plants include: poison ivy, poison oak, stinging nettle, mushrooms, toadstools, jimson weed, castor bean, and oleander.*

*Level 2 Noncompliance if there are accessible poisonous plants in rooms with mobile infants or toddlers.*

*Level 3 Noncompliance otherwise.*

- (4) The following items shall be inaccessible to children:  
(f) matches or cigarette lighters;

### **Rationale / Explanation**

*Accidental fires are often started by children playing with matches and cigarette lighters. CFOC, 3<sup>rd</sup> Ed. pg. 256 Standard 5.5.0.6*

### **Enforcement**

*This rule applies to both indoor and outdoor areas.*

*Always Level 2 Noncompliance.*

- (4) The following items shall be inaccessible to children:  
(g) open flames;

### **Rationale / Explanation**

*Children are at risk of burns from open flames. Fires may also be accidentally started by open flames, such as a burning candle. CFOC, 3<sup>rd</sup> Ed. pg. 256 Standard 5.5.0.6*

### **Enforcement**

*This rule applies to both indoor and outdoor areas.*

*This rule does not prevent a caregiver from having a birthday cake or cupcakes with candles, provided there is constant direct supervision of the lit candles until they are blown out.*

*Always Level 1 Noncompliance.*

- (4) The following items shall be inaccessible to children:  
(h) sharp objects, edges, corners, or points which could cut or puncture skin;

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### Rationale / Explanation

*The purpose of this rule is to prevent children from being cut or having their skin punctured by sharp objects. CFOC, 3rd E. pgs. 237-238 Standard 5.3.1.2, pgs. 284-285 Standard 6.4.1.2*

### Enforcement

*This rule applies to both indoor and outdoor areas.*

*This rule does not include hammers, screw drivers, staples, staplers, staple removers, or scrap booking scissors with decorative pattern edges. In rooms used for school age children only, this rule also does not include adult scissors or sewing needles.*

*Child scissors are defined as scissors that have a blunt edge and are not more than 6" in length and can be accessible to children.*

*Sharp objects also include items such as cactus, thumb tacks or push pins on the floor, and a running fan with a guard through which children's fingers can fit.*

*This rule is not meant to prohibit preschoolers from engaging in supervised woodworking activities.*

*Always Level 2 Noncompliance.*

- (4) The following items shall be inaccessible to children:**
- (i) for children age 4 and under, ropes, cords, wires and chains long enough to encircle a child's neck, such as those found on window blinds or drapery cords;**

### Rationale / Explanation

*Window covering cords are frequently associated with strangulation of children under five years of age. Cords and ribbons tied to pacifiers can become tightly twisted, or can catch on crib corner posts or other protrusions, causing strangulation. CFOC, 3<sup>rd</sup> Ed. pg. 129 Standard 3.4.6.1.*

### Enforcement

*This rule applies to both indoor and outdoor areas.*

*This rule is not meant to prohibit preschoolers or school age children from engaging in activities with any of the following: lacing cards; stringing beads; yarn; ribbon; boondoggle; scarves; string; shoelaces; jump ropes; or dress-up clothing, purses, and jewelry.*

*Pacifier cords longer than 12 inches must be inaccessible to children.*

*Always Level 2 Noncompliance.*

- (4) The following items shall be inaccessible to children:**
- (j) for children age 4 and under, plastic bags large enough for a child's head to fit inside, latex gloves, and balloons; and**

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### **Rationale / Explanation**

*Plastic bags pose a suffocation risk for children. Rubber balloons and latex gloves can cause choking if children accidentally swallow them, or bite off parts of them and swallow them. CFOC, 3<sup>rd</sup> Ed. pg. 257 Standard 5.5.0.7, pgs. 284-285 Standards 6.4.1.2, 6.4.1.5.*

### **Enforcement**

*This rule applies to both indoor and outdoor areas.*

*This rule applies to empty, loose plastic bags only, not plastic bags with something in them, or a supply of unused plastic bags on a roll or in a box. This rule does not apply to latex gloves that are on a changing table, if they are only within reach of the child on the changing table. This rule does not apply to latex gloves that are in a closed first aid kit. This rule does not apply to unopened boxes of latex gloves. This rule also does not apply to trash can liners that are inside of a trash can.*

*This rule applies to latex or rubber balloons whether or not inflated. This rule does not apply to Mylar balloons.*

*Level 1 Noncompliance if a child is observed playing with an empty plastic bag large enough for a child's head to fit inside, latex gloves, or balloons.*

*Level 3 Noncompliance otherwise.*

- (4) The following items shall be inaccessible to children:**
- (k) for children age 2 and under, toys or other items with a diameter of less than 1-1/4 inch and a length of less than 2-1/4 inches, or objects with removable parts that have a diameter of less than 1-1/4 inch and a length of less than 2-1/4 inches.**

### **Rationale / Explanation**

*These items pose a choking hazard for small children. CFOC, 3<sup>rd</sup> Ed. pgs. 284-285 Standard 6.4.1.2.*

### **Enforcement**

*This rule applies to both indoor and outdoor areas.*

*This rule does not apply to two-year-olds having access to crayons or chalk. This rule also does not apply to items 1/2" in diameter or smaller, such as rice, beans, small macaroni, small beads, sequins, single small Lite-Brite pegs, and small craft eyes, because they are small enough that if a child swallows one, it would not be large enough to block the airway and make a child unable to breathe. For this same reason, paper clips, rubber bands, bobby pins, and feathers accessible to children are not a violation of this rule.*

*If children age two and under are in a carefully supervised activity, such as an art activity with a caregiver sitting at the art table with them, they may use art materials smaller than the allowed size, such as pom-poms, cotton balls, large macaroni, or craft eyes larger than 1/2" in diameter. However, these items may not be accessible to these children unless a caregiver is at the table with the children supervising their use of these items.*

*This rule does not prohibit children age 3 and older from engaging in activities or games that have small*

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*pieces, as long as these items are not left on the floor with children age 2 and under in the room, or left out on a surface under 36" high, where children age 2 and under could pick them up without opening a drawer, cupboard, lid, or closet.*

*Always Level 2 Noncompliance.*

**(5) The provider shall store all toxic or hazardous chemicals in a container labeled with its contents.**

### **Rationale / Explanation**

*The purpose of this rule is so that a toxic or hazardous chemical is not mistaken for a harmless material. For example, an unlabeled bottle of bleach water used for sanitizing could be mistaken for plain water. CFOC, 3<sup>rd</sup> Ed. pgs. 228-229 Standard 5.2.9.1*

### **Enforcement**

*This rule applies to both indoor and outdoor areas.*

*Toxic or hazardous chemicals include sanitizing solutions.*

*Always Level 2 Noncompliance.*

**(6) Electrical outlets and surge protectors accessible to children age four and younger shall have protective caps or safety devices when not in use.**

### **Rationale / Explanation**

*Preventing children from placing fingers or sticking objects into exposed electrical outlets prevents electrical shock, electrical burns, and potential fires. Oral injuries can also occur when young children insert a metal object into an outlet and try to use their teeth to extract the object. The combination of electricity and mouth moisture closes the electrical circuit, and can lead to serious life-long injuries. CFOC, 3<sup>rd</sup> Ed. pgs. 219-220 Standard 5.2.4.2.*

### **Enforcement**

*This rule applies to both indoor and outdoor areas.*

*Accessible outlets include any outlet within 36" of a surface a child in care sleeps on, and any outlet within 36" from any surface in a bathroom a child in care could climb on, such as a bathtub, toilet or counter.*

*A tamper resistant outlet is considered to be a safety device. The outlet must be marked with "TR" or the words "tamper resistant". A grounded outlet is an outlet that has holes for three prongs. Grounded outlets still need safety covers, unless they are also tamper resistant.*

*Always Level 2 Noncompliance.*

**(7) Hot water accessible to children shall not exceed 120 degrees Fahrenheit.**



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### Rationale / Explanation

*Tap water burns are the leading cause of nonfatal burns, and children under 5 years of age are the most frequent victims. Water heated to 130 degrees Fahrenheit takes only 30 seconds to burn the skin. Water heated to 120 degrees takes 2 minutes to burn the skin. CFOC, 3<sup>rd</sup> Ed. pg. 216 Standard 5.2.1.14*

### Enforcement

*This rule applies to both indoor and outdoor areas.*

*This rule refers to water in sinks used by children.*

*Due to the variable accuracy of hot water thermometers, this rule is not considered out of compliance unless the temperature measures 123 degrees or hotter.*

*Level 2 Noncompliance if the hot water temperature is 128 degrees or higher.*

*Level 3 Noncompliance if the temperature is between 123 and 127 degrees.*

- (8) High chairs shall have T-shaped safety straps or devices that are used whenever a child is in the chair.**

### Rationale / Explanation

*The purpose of this rule is to prevent children from sliding out of a high chair and falling to the ground, or sliding partway out and becoming entrapped, which poses a strangulation hazard. CFOC, 3<sup>rd</sup> Ed. pgs. 241-242*

### Enforcement

*This rule applies to both indoor and outdoor areas.*

*If the chair is low enough to the ground that the child's feet can touch the ground while sitting in the chair, a T-shaped strap or other device is not required.*

*Level 1 Noncompliance if the high chair is used by infants or toddlers.*

*Level 2 Noncompliance otherwise.*

- (9) Indoor stationary gross motor play equipment, such as slides and climbers, accessible to children under age 3 shall not have a designated play surface that exceeds 3 feet in height.**

### Rationale / Explanation

*This rule is based on guidelines from the Consumer Product Safety Commission. Improper cushioning material under playground equipment is the leading cause of playground related injuries. Over 70% of all accidents on play equipment are from children falling. Hard surfaces are not acceptable under most play equipment. A fall onto a hard surface could be life threatening. CFOC, 3<sup>rd</sup> Ed. pgs. 237-238 Standard 5.3.1.1, pgs. 273-274 Standard 6.2.3.1, pgs. 277-278 Standard 6.2.5.2*

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### **Enforcement**

*This rule only applies to stationary gross motor play equipment, such as a climber, slide, swing (not an infant swing), merry-go-round, or spring rocker.*

*A piece of equipment will be assessed as both a waterfall climber and a climber if one side of the climber has gradual tiers and the other side has a straight drop off.*

*Level 1 Noncompliance if indoor play equipment exceeds the allowed height and does not have the required cushioning.*

*Level 2 Noncompliance if indoor play equipment exceeds the allowed height but has the required cushioning.*

**(9) Indoor stationary gross motor play equipment, such as slides and climbers, accessible to children under age 3 shall not have a designated play surface that exceeds 3 feet in height.**

- (a) If such equipment has an elevated designated play surface less than 18 inches in height, it shall not be placed on a hard surface, such as wood, tile, linoleum, or concrete, and shall have a three foot use zone.**

### **Rationale / Explanation**

*This rule is based on guidelines from the Consumer Product Safety Commission. Improper cushioning material under playground equipment is the leading cause of playground related injuries. Over 70% of all accidents on play equipment are from children falling. Hard surfaces are not acceptable under most play equipment. A fall onto a hard surface could be life threatening. CFOC, 3<sup>rd</sup> Ed. pgs. 237-238 Standard 5.3.1.1, pgs. 273-274 Standard 6.2.3.1, pgs. 277-278 Standard 6.2.5.2*

*There are several different types of ASTM compliant cushioning that can be used under indoor play equipment. These include certain mats, carpeting, and unitary cushioning materials. For examples of possible ASTM compliant indoor cushioning materials, see:*

- <http://www.safelandings.com>
- <http://www.surfaceplay.com>
- <http://www.baplaysets.com/shopping/cfmodularmats.asp>
- [http://www.daycaremall.com/softplay\\_3.html](http://www.daycaremall.com/softplay_3.html)

### **Enforcement**

*This rule does not apply to equipment that is 6" or less from the floor, such as low balance beams.*

*A piece of equipment will be assessed as both a waterfall climber and a climber if one side of the climber has gradual tiers and the other side has a straight drop off.*

*The use zone is measured from the outermost point of the equipment.*

*See the last page of this document for examples of the kinds of equipment that do and do not require cushioning under Subsections (9)(a)-(b) and (10)(a)-(b) of this rule.*

*Level 1 Noncompliance if the equipment is on a hard surface.*

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*Level 2 Noncompliance otherwise.*

- (9) Indoor stationary gross motor play equipment, such as slides and climbers, accessible to children under age 3 shall not have a designated play surface that exceeds 3 feet in height.
- (b) If such equipment has an elevated designated play surface that is 18 inches to 3 feet in height, it shall be surrounded by mats at least 2 inches thick, or cushioning that meets ASTM Standard F1292, in a three foot use zone.

### Rationale / Explanation

*This rule is based on guidelines from the Consumer Product Safety Commission. Improper cushioning material under playground equipment is the leading cause of playground related injuries. Over 70% of all accidents on play equipment are from children falling. Hard surfaces are not acceptable under most play equipment. A fall onto a hard surface could be life threatening. CFOC, 3<sup>rd</sup> Ed. pgs. 237-238 Standard 5.3.1.1, pgs. 273-274 Standard 6.2.3.1, pgs. 277-278 Standard 6.2.5.2*

*There are several different types of ASTM compliant cushioning that can be used under indoor play equipment. These include certain mats, carpeting, and unitary cushioning materials. For examples of possible ASTM compliant indoor cushioning materials, see:*

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- [http://www.daycaremall.com/softplay\\_3.html](http://www.daycaremall.com/softplay_3.html)

### Enforcement

*This rule does not apply to equipment that is 6" or less from the floor, such as low balance beams.*

*A piece of equipment will be assessed as both a waterfall climber and a climber if one side of the climber has gradual tiers and the other side has a straight drop off.*

*Level 1 Noncompliance if the equipment is on a hard surface.*

*Level 2 Noncompliance otherwise.*

- (10) Indoor stationary gross motor play equipment, such as slides and climbers, accessible to children age 3 and older shall not have a designated play surface that exceeds 5-1/2 feet in height.

### Rationale / Explanation

*This rule is based on guidelines from the Consumer Product Safety Commission. Improper cushioning material under playground equipment is the leading cause of playground related injuries. Over 70% of all accidents on play equipment are from children falling. Hard surfaces are not acceptable under most play equipment. A fall onto a hard surface could be life threatening. CFOC, 3<sup>rd</sup> Ed. pgs. 237-238 Standard 5.3.1.1, pgs. 273-274 Standard 6.2.3.1, pgs. 277-278 Standard 6.2.5.2*

### Enforcement

*This rule only applies to stationary gross motor play equipment, such as a climber, slide, swing, merry-go-round,*

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*or spring rocker.*

*A piece of equipment will be assessed as both a waterfall climber and a climber if one side of the climber has gradual tiers and the other side has a straight drop off.*

*Level 1 Noncompliance if indoor play equipment exceeds the allowed height and does not have the required cushioning.*

*Level 2 Noncompliance if indoor play equipment exceeds the allowed height but has the required cushioning.*

**(10) Indoor stationary gross motor play equipment, such as slides and climbers, accessible to children age 3 and older shall not have a designated play surface that exceeds 5-1/2 feet in height.**

- (a) If such equipment has an elevated designated play surface less than 3 feet in height, it shall be surrounded by protective cushioning material, such as mats at least 1 inch thick, in a six foot use zone.**

### Rationale / Explanation

*This rule is based on guidelines from the Consumer Product Safety Commission. Improper cushioning material under playground equipment is the leading cause of playground related injuries. Over 70% of all accidents on play equipment are from children falling. Hard surfaces are not acceptable under most play equipment. A fall onto a hard surface could be life threatening. CFOC, 3<sup>rd</sup> Ed. pgs. 237-238 Standard 5.3.1.1, pgs. 273-274 Standard 6.2.3.1, pgs. 277-278 Standard 6.2.5.2*

*There are several different types of ASTM compliant cushioning that can be used under indoor play equipment. These include certain mats, carpeting, and unitary cushioning materials. For examples of possible ASTM compliant indoor cushioning materials, see:*

- <http://www.safelandings.com>*
- <http://www.surfaceplay.com>*
- <http://www.baplaysets.com/shopping/cfmodularmats.asp>*
- [http://www.daycaremall.com/softplay\\_3.html](http://www.daycaremall.com/softplay_3.html)*

### Enforcement

*This rule does not apply to equipment that is 6" or less from the floor, such as low balance beams.*

*A piece of equipment will be assessed as both a waterfall climber and a climber if one side of the climber has gradual tiers and the other side has a straight drop off.*

*Level 1 Noncompliance if the equipment is on a hard surface.*

*Level 2 Noncompliance otherwise.*

**(10) Indoor stationary gross motor play equipment, such as slides and climbers, accessible to children age 3 and older shall not have a designated play surface that exceeds 5-1/2 feet in height.**

- (b) If such equipment has an elevated designated play surface that is 3 feet to 5-1/2 feet in height, it shall be surrounded by cushioning that meets ASTM Standard F1292, in a six foot use zone.**

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### **Rationale / Explanation**

*This rule is based on guidelines from the Consumer Product Safety Commission. Improper cushioning material under playground equipment is the leading cause of playground related injuries. Over 70% of all accidents on play equipment are from children falling. Hard surfaces are not acceptable under most play equipment. A fall onto a hard surface could be life threatening. CPOC, 3<sup>rd</sup> Ed. pgs. 237-238 Standard 5.3.1.1, pgs. 273-274 Standard 6.2.3.1, pgs. 277-278 Standard 6.2.5.2*

*There are several different types of ASTM compliant cushioning that can be used under indoor play equipment. These include certain mats, carpeting, and unitary cushioning materials. For examples of possible ASTM compliant indoor cushioning materials, see:*

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### **Enforcement**

*This rule does not apply to equipment that is 6" or less from the floor, such as low balance beams..*

*A piece of equipment will be assessed as both a waterfall climber and a climber if one side of the climber has gradual tiers and the other side has a straight drop off.*

*Level 1 Noncompliance if the equipment is on a hard surface.*

*Level 2 Noncompliance otherwise.*

## **(11) There shall be no trampolines on the premises that are accessible to any child in care.**

### **Rationale / Explanation**

*Trampolines pose serious safety hazards. The Consumer Product Safety Commission estimates that in 1998 there were 95,000 hospital emergency room-treated injuries associated with trampolines. About 75% of the victims are under 15 years of age, and 10% are under five years of age. The hazards that result in injuries and deaths are:*

- *falling or jumping off the trampoline.*
- *falling on the trampoline springs or frame.*
- *colliding with another person on the trampoline.*
- *landing improperly while jumping or doing stunts on the trampoline.*

### **Enforcement**

*This rule applies to both indoor and outdoor areas.*

*This rule includes full size above-ground trampolines, built into the ground trampolines, and mini-trampolines.*

*Always Level 1 Noncompliance.*

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- (12) If there is a swimming pool on the premises that is not emptied after each use:
- (a) the provider shall ensure that the pool is enclosed within a fence or other solid barrier at least six feet high that is kept locked whenever the pool is not in use;

### Rationale / Explanation

*The purpose of this rule is to prevent both injury and drowning. Most children drown within a few feet of safety, and drowning is one of the leading causes of unintentional injury to children under 5 years of age. CFOC, 3<sup>rd</sup> Ed. pg. 7 Standard 1.1.1.5, pg. 267 Standard 6.1.0.6, pg. 278 Standard 6.3.1.1, pg. 280 Standards 6.3.1.6, 6.3.1.7, 6.3.1.8, pgs. 281-282 Standards 6.3.2.1, 6.3.2.2, 6.3.2.3, 6.3.3.1, 6.3.3.2, 6.3.3.4*

### Enforcement

*This rule applies to both indoor and outdoor areas.*

*For a swimming pool fence to be considered locked, it must have a key or combination lock.*

*Always Level 1 Noncompliance.*

- (12) If there is a swimming pool on the premises that is not emptied after each use:
- (b) the provider shall maintain the pool in a safe manner;

### Rationale / Explanation

*The purpose of this rule is to prevent both injury and drowning. Most children drown within a few feet of safety, and drowning is one of the leading causes of unintentional injury to children under 5 years of age. CFOC, 3<sup>rd</sup> Ed. pg. 7 Standard 1.1.1.5, pg. 267 Standard 6.1.0.6, pg. 278 Standard 6.3.1.1, pg. 280 Standards 6.3.1.6, 6.3.1.7, 6.3.1.8, pgs. 281-282 Standards 6.3.2.1, 6.3.2.2, 6.3.2.3, 6.3.3.1, 6.3.3.2, 6.3.3.4*

### Enforcement

*This rule applies to both indoor and outdoor areas.*

*A finding to this rule is issued only when there is not another licensing rule that addresses a problem. The noncompliance level depends on the problem. Child Care Licensing staff will compare the seriousness of the problem with the noncompliance levels of the most similar child care licensing rules.*

- (12) If there is a swimming pool on the premises that is not emptied after each use:
- (c) the provider shall meet all applicable state and local laws and ordinances related to the operation of a swimming pool; and

### Rationale / Explanation

*The purpose of this rule is to prevent both injury and drowning. Most children drown within a few feet of safety, and drowning is one of the leading causes of unintentional injury to children under 5 years of age. CFOC, 3<sup>rd</sup> Ed. pg. 7 Standard 1.1.1.5, pg. 267 Standard 6.1.0.6, pg. 278 Standard 6.3.1.1, pg. 280 Standards 6.3.1.6, 6.3.1.7, 6.3.1.8, pgs. 281-282 Standards 6.3.2.1, 6.3.2.2, 6.3.2.3, 6.3.3.1, 6.3.3.2, 6.3.3.4*

*This rule is intended to address problems which are not already addressed in other child care licensing rules, but*

## **R430-100-12: INJURY PREVENTION.**

*which involve the violation of a federal, state, or local law or administrative rule of another agency that applies to the operation of a child care facility.*

### **Enforcement**

*This rule applies to both indoor and outdoor areas.*

*Always Level 3 Noncompliance.*

**(12) If there is a swimming pool on the premises that is not emptied after each use:**

- (d) If the pool is over four feet deep, there shall be a Red Cross certified life guard on duty, or a lifeguard certified by another agency that the licensee can demonstrate to the Department to be equivalent to Red Cross certification, any time children have access to the pool.**

### **Rationale / Explanation**

*The purpose of this rule is to prevent both injury and drowning. Most children drown within a few feet of safety, and drowning is one of the leading causes of unintentional injury to children under 5 years of age. CFOC, 3<sup>rd</sup> Ed. pg. 7 Standard 1.1.1.5, pg. 267 Standard 6.1.0.6, pg. 278 Standard 6.3.1.1, pg. 280 Standards 6.3.1.6, 6.3.1.7, 6.3.1.8, pgs. 281-282 Standards 6.3.2.1, 6.3.2.2, 6.3.2.3, 6.3.3.1, 6.3.3.2, 6.3.3.4*

### **Enforcement**

*This rule applies to both indoor and outdoor areas.*

*Always Level 1 Noncompliance.*

**(13) If wading pools are used:**

- (a) a caregiver must be at the pool supervising children whenever there is water in the pool;**

### **Rationale / Explanation**

*The purpose of this rule is to prevent drowning. Small children can drown within 30 seconds in as little as 2 inches of water. CFOC, 3rd Ed. pgs. 68-29 Standard 2.2.0.4, pg. 283 Standard 6.3.5.3*

*The licensee should check with their local health department before allowing children to use a wading pool, because some local health departments prohibit the use of wading pools in child care facilities. R430-100-8(2) requires providers to comply with local laws and rules such as these.*

### **Enforcement**

*This rule applies to both indoor and outdoor areas.*

*Supervising at the pool means that a caregiver is close enough to see the entire bottom of the pool.*

*Always Level 1 Noncompliance.*

**(13) If wading pools are used:**

- (b) diapered children must wear swim diapers and rubber pants while in the pool; and**

## R430-100-12: INJURY PREVENTION.

### Rationale / Explanation

*The purpose of this rule is to minimize the risk of spreading cryptosporidiosis, a diarrheal disease caused by a microscopic parasite. Utah Department of Health rule requires any child under three years old, any child not toilet trained, and anyone who lacks control of defecation shall wear a water resistant swim diaper and waterproof swimwear. Swim diapers and waterproof swimwear shall have waist and leg openings fitted such that they are in contact with the waist or leg around the entire circumference (R392-302-30).*

*The licensee should check with their local health department before allowing children to use a wading pool, because some local health departments prohibit the use of wading pools in child care facilities. R430-100-8(2) requires providers to comply with local laws and rules such as these.*

### Enforcement

*This rule applies to both indoor and outdoor areas.*

*Always Level 2 Noncompliance.*

### **(13) If wading pools are used:**

- (c) the pool shall be emptied and sanitized after each use by a separate group of children.**

### Rationale / Explanation

*The purpose of this rule is to minimize the risk of spreading disease through shared wading pool water. CFCO, 3rd Ed. pg. 283 Standard 6.3.5.3*

*The licensee should check with their local health department before allowing children to use a wading pool, because some local health departments prohibit the use of wading pools in child care facilities. R430-100-8(2) requires providers to comply with local laws and rules such as these.*

### Enforcement

*This rule applies to both indoor and outdoor areas.*

*Always Level 2 Noncompliance.*



**R430-100-12. INJURY PREVENTION.**

**Examples of the kinds of equipment that do and do not require cushioning under Subsections (9)(a)-(b) and (10)(a)-(b) of this rule.**



**Waterfall Climber – Follow the Enforcement Instructions for Waterfall Climbers**



**Requires Cushioning and Use Zone**



**Requires Cushioning and Use Zone**



**Requires Cushioning and Use Zone**



**Requires Cushioning and Use Zone**

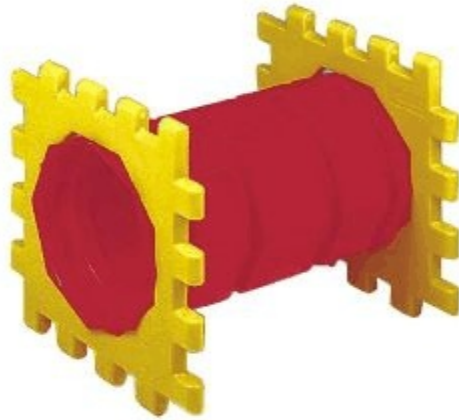


**Does Not Require Cushioning or Use Zone  
(Furniture, not gross motor play equipment.)**

**R430-100-12. INJURY PREVENTION.**



If this unit sits in a corner, so that the right-hand side of the slide is next to the wall, cushioning is only needed at the bottom of the slide. If it does not sit in a corner, cushioning would also be needed on the right-hand side of the slide. (We do not have a rule requiring cushioning at the bottom of stairs.)



**Does Not Require Cushioning or Use Zone**



**Does Not Require Cushioning or Use Zone**



**Does Not Require Cushioning or Use Zone**

**R430-100-12. INJURY PREVENTION.**



**Does Not Require Cushioning or Use Zone**



**Requires Cushioning and Use Zone**



**Does Not Require Cushioning  
or Use Zone**

**R430-100-12. INJURY PREVENTION.**



**Does Not Require Cushioning and Use Zone**



**Requires Cushioning and Use Zone**



**Requires Cushioning and Use Zone**